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CHAMBERS



## SARAH HANNAFORD QC

**Call:** 1989 (2015 Northern Ireland) / **Silk:** 2008

**shannaford@keatingchambers.com**

### Areas of practice

- Procurement
- Construction & Engineering
- Energy & Natural Resources
- Professional Negligence
- Property

### Clerks' Details

**Declan Redmond**

**T:** +44 (0)20 7544 2616  
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**Rob Cowup**

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### Practice overview

Ranked as a Star Individual by Chambers & Partners and nominated for the Bar Hot100, Sarah has a well-earned reputation as the “doyenne of the Public Procurement Bar”. She is known for being “unstuffy, client-friendly” and “someone who will really put herself out for you”. The natural choice for complex high value procurement issues, Sarah is one of the leading barristers in the field of EU procurement law and regularly advises Government bodies, local authorities and industry clients.

Sarah’s work spans both the United Kingdom and international markets, encompassing construction, engineering and energy disputes together with professional negligence work within these areas of expertise. She also has considerable expertise in disputes relating to party walls, rights of light and other easements. As a Treasury A Panel Counsel prior to taking silk, Sarah represented U.K. Government bodies on numerous disputes, including the Highways Agency, Environment Agency, Ministry of Defence and the Department for Communities and Local Government.

In addition to her work as Counsel, Sarah Hannaford is a trained Mediator and accredited Adjudicator.

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## Recent Cases

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### Public Procurement

- Leading a team of one other silk and two juniors acting for Mersey Waste Disposal Authority (MWDA) defending a claim by Covanta Energy contesting the fairness of a decision by MWDA to award a £1.2bn contract to a rival party. This case raised complex legal questions about the use of the competitive dialogue procedure and the UK's transposition of European Directives and was widely reported in the press.
- Acting for BY Development Ltd in relation to alleged flaws in the procurement process for a £2bn project to redevelop New Covent Garden Market, London.
- Acting for Alstom in the high profile and lengthy Eurostar litigation concerning the award of a EURO1.2bn contract for supply of trains. The case raised issues of equal treatment and transparency in the Utilities Contracts Regulations 2006.
- Acting for the Legal Services Commission (now Legal Aid Agency) in a number of challenges to its procurement of legal aid services, both in the High Court and Court of Appeal.
- Acting for National Express in the high profile cancellation of the Great Western train franchise competition (related to the West Coast Main Line dispute) involving the difficult legal question of Department of Transport's failure to reimburse the bidders' costs (around £40m).
- Advising a number of public bodies, including central Government, on highly topical procurement issues including the relevance of past performance, the exclusion of bidders and the use of framework agreements.

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*“A very committed procurement specialist.”*

Chambers UK Bar, 2015

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### Construction, Commercial and Energy (including Professional Negligence)

- Advising an Northern Ireland construction company in relation to the settlement of a quay.
  - Acting for the Secretary of State for Defence in two high value (£100m+) and long running disputes in relation to a nuclear submarine.
  - Acting for public bodies in relation to construction and commercial disputes under both NEC and bespoke contracts.
  - Advising and representing London Underground in a substantial adjudication in relation to an NEC contract for station modernisation and upgrades.
  - Representing German energy company Eon in the English Courts (Chancery Division) on a multi million pound dispute relating to contracts for the reprocessing of nuclear waste from European power stations at Sellafield.
  - Acting for a Korean shipyard in a US\$500 million international arbitration under LCIA rules concerning specification and delay issues relating to the construction of two ultra harsh condition jack up oil rigs.
  - Acting for the Singaporean shipyard Sembawang in relation to a long-running arbitration under LMAA rules. The dispute related to the contract to convert the bulk carrier “Solitaire” into a pipe-laying vessel for the oil & gas industry. The arbitration was the largest marine arbitration ever held in London.
  - Acting for a Singaporean shipyard in relation to claims under LCIA arbitration rules relating to the construction of an FPSO vessel.
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*“She’s responsive, analytical and hard-working.”*

Chambers UK Bar, 2015

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#### Property

- Advising a major property investment company on points of principle arising under the Party Wall Act.
- Advising on party wall issues during an ongoing major central London development.
- Professional negligence claim in relation to structural damage to three properties during construction of a substantial development.

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#### Selected Reported Cases

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- *Solent NHS Trust v Hampshire County Council* [2015] EWHC 457 (TCC)
- *NATS (Services) Limited v Gatwick Airport Limited* [2014] EWHC 3728 (TCC)
- *NATS (Services) Limited v Gatwick Airport Limited* [2014] EWHC 3133 (TCC)
- *Covanta Energy Ltd v Merseyside Waste Disposal Authority* [2013] EWHC 2922 (TCC)
- *Covanta Energy Limited v Merseyside Waste Disposal Authority* [2013] EWHC 2964 (TCC)
- *AMEC Group Ltd v Secretary of State for Defence* [2013] EWHC 110 (TCC)
- *BY Development Ltd & Ors v Covent Garden Market Authority* [2012] EWHC 2546 (TCC)
- *Hossacks (A Firm of Solicitors), R (on the application of) v The Legal Services Commission* [2012] EWCA Civ 103
- *WW Gear Construction Ltd v McGee Group Ltd* [2012] EWHC 1509 (TCC)
- *Harry Yearsley Ltd v Secretary of State for Justice* [2011] EWHC 160
- *Exel Europe Ltd v University Hospitals Coventry and Warwickshire NHS Trust* [2010] EWHC 3332
- *Kaye v Lawrence* [2010] EWHC 2678 (TCC), [2010] NPC 106, [2011] 1 All ER 1088, [2011] BLR 77, [2010] 44 EG 124, [2011] 1 EG 66, [2011] CILL 2955
- *Alstom Transport v Eurostar International Ltd* [2010] EWHC B32 (Ch)
- *Alstom Transport v Eurostar International Ltd & Anor* [2010] EWHC 2747, [2011] Eu LR 229
- *Croft House Care Ltd v Durham CC, Orchard Home Care Ltd v Durham CC, Kelly Park Caring Agency v Durham CC* [2010] EWHC 909 (TCC), [2011] PTSR 363
- *European Dynamics SA v HM Treasury (sued as Buying Solutions)* [2009] EWHC 3419 (TCC), [2010] Eu LR 397, (2010) 26 Const LJ 191 and 128 Con LR 36
- *Amaryllis Ltd v HM Treasury (sued as ogcbuying solutions) (No.2)* [2009] EWHC 962 TCC, [2009] EWHC 1666 (TCC), (2009) 25 Const LJ 528, [2009] BLR 425 and [2010] Eu LR 152
- *R (on the application of the Law Society) v Legal Services Commission & the Lord Chancellor* [2007] EWCA Civ 1264; [2008] 2 W.L.R. 803; [2008] 2 All E.R. 148
- *Mast Electrical Services v Kendal Cross Holdings Ltd* [2007] EWHC 1296 (TCC)
- *British Nuclear Group Sellafield Ltd v Kernkraftwerk Brokdorf and others* [2007] EWHC 2245 (Ch) (long trial concerning re-processing of spent fuel at Sellafield)
- *Environment Agency v Lewin Fryer & Partners* [2006] Con LJ Vol 22 No.8 p574 TCC; EWHC 1597 (TCC)
- *BFS Group Ltd v (1) Secretary of State for Defence (2) Purple Foodservice Ltd* [2006] EWHC 1513 (Ch); [2006] Eu. L.R. 1101

- *AMEC Civil Engineering Ltd v Secretary of State for Transport* [2005] 1 WLR 2339 CA, [2005] Con LJ Vol. 21 No.8 p.640 CA, [2005] 101 Con LR 26 CA, [2005] CILL 2228 and [2005] BLR 227 CA and [2005] CILL 2189 TCC (the meaning of 'dispute' and the operation of Clause 66 of the ICE standard form)
- *CIB Properties Ltd v Birse Construction Ltd* [2004] EWHC 2365 (TCC); [2005] 1 WLR 2252; [2005] BLR 173

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## Education & Professional Career

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MA in Jurisprudence, Lincoln College, Oxford	1986
Called to the Bar (Middle Temple)	1989
Keating Chambers	1990
Member (and former Committee Member) of the Technology and Construction Bar Association (TECBAR)	1991
Member of the Commercial Bar Association (COMBAR)	1993
Appointed to the Treasury A Panel	2003
TECBAR Accredited Adjudicator	2004
Trained Mediator	2006
Queen's Counsel	2008

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## Memberships

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Member of the Chartered Institute of Arbitrators (MCIArb)  
 Technology and Construction Bar (TECBAR)  
 Commercial Bar Association (COMBAR)  
 International Bar Association (IBA)  
 Society of Construction Law (SCL)  
 Fellow of the Chartered Institute of Arbitrators (FCIArb)

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## Seminars, Publications & Papers

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- Co-author, Keating on Construction Contracts - Ninth Edition (2012)
  - Procurement Problems in the Credit Crunch ( 17 July 2009)
  - RICS Case in Point: Rights to Light, 2008
  - Halsbury's Fuel and Energy Volumes 19(1) to (3) ( October 2007)
  - RICS Case in Point: Party Walls (co-authored with Jessica Stephens), 2004
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## Lectures

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- "Awarding Public Contracts Lawfully and Skilfully within the Procurement Rules" - Whitepaper conference, 2013.
- IBC Legal's Construction Law Summer School on "EU Procurement Law"
- CLT Advanced Procurement Law Conference

- Whitepaper Conferences in Dublin & Belfast
- LexisNexis Webinar: "Public Procurement – Latest Developments"
- MBL Seminar: "Public Procurement – Tactics and Practice"
- Keating Chambers/Sweet and Maxwell Construction Law Conference on "Procurement Issues"

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## Languages

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French (working knowledge)

Spanish (working knowledge)

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## Additional Information

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In her spare time Sarah enjoys skiing and is a keen tennis player. She lives in London.